**IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL**

Writ Petition No.223 (MB) of 2002

Swami Omkaranand Saraswati ……. Petitioner

Versus

State of Uttaranchal and others ……. Respondents

Sri Lok Pal Singh, Advocate for the petitioner

Sri K.P.Upadhyay, Advocate and Standing Counsel for the respondents.

Corum: **Hon'ble S.H. Kapadia, C.J.**
**Hon'ble Rajesh Tandon J.**

Dated: 15.09.2003

**PC:-**

The petitioner is a registered society under the Societies Registration Act. It is running educational institutions in the name of Swami Omkaranand Saraswati Nilayam English Medium Schools at Tehri Garhwal. The institution was established in 1983. By the notice dated 21.1.2002 petitioner was directed to deposit Provident Fund of the employees for the period 1998 up to 2001 at the rate of 12%. The petitioner has challenged the notice. In the meantime recovery proceedings have been taken by the respondent no.2.

In this case we are not inclined to interfere. However, reply to the notice given by the petitioner will be considered by the respondent in accordance with law and respondent no.2 will thereafter act and take steps to recover the amount in accordance with law. In case the

Order of respondent no.2 is against the petitioner, the petitioner is at liberty to move the appellate authority.

Subject to above, the writ petition is disposed of.

**(Rajesh Tandon, J.)** **(S.H. Kapadia, C.J.)**